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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/708,770

11/07/2000

James E. Obert

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06/17/2004

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

POON, KING Y

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/708,770

Applicant(s)

OBERT ET AL.

Examiner

King Y. Poon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 9, 10, 12, 15-18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9, 10, 12, 15-18, 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/2/2004 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-6, 9, 10, 12, 15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 1: The limitations of "allows the remote diagnostic center to display the user interface on the second computer, and wherein the printing device settings of the first computer can be changed by input to the user interface at the second computer that are applied to the first computer", are subject matter which was not described in the specification in such a way as to reasonably convey to one skilled

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in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 2-6: Claims 2-6 are rejected under 35 U.S.C. 112, second paragraph, because they depend on rejected claim 1.

Regarding claim 9: The limitations of "transmit printing device commands related to the printing device in response to the diagnostic data from the second computer to the first computer", are subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 10, 12, and 15: Claims 10, 12 and 15 are rejected under 35 U.S.C. 112, second paragraph, because they depend on rejected claim 9.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1: It is unclear the limitations of "diagnostic applications" of line 12 is referring to the printing device management application of line 23, or other applications.

It is also unclear the limitations of "printing device setting of the first computer" of lines 19-20 is the setting of the printing device or the setting of the first computer.

Regarding claims 2-6: Claims 2-6 are rejected under 35 U.S.C. 112, second paragraph, because they depend on rejected claim 1.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The change made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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7. Claims 1-5, 9, 10, 12, 15-18, 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hanson (US 6,148,346).

Regarding claims 1: Hanson teaches a system, (fig. 1) comprising: a workstation (computer 25, 26, and 23, fig.1 of company A, form a workstation) having a first computer (e.g., computer 23), the first computer is in data communication with a second computer (e.g., PC, 35, fig. 1, column 4, lines 10-20) via a network (Internet, fig. 1), wherein the second computer is controlled by a third party (the user/administrator that is located at PC 35, column 2, lines 50-65, column 7, line 46); one or more printing devices (27, 31, figure 1, column 4, lines 18-19) that are connected to the first computer (PC 23, fig. 1) in the workstation; a remote (company A and B are remotely connected to each other through Internet 22, column 4, lines 15-20, fig. 1) diagnostic center (host computer system with an independent server connected by a LAN, column 4, lines 40-45, e.g., PC 35, fig. 1) that is located outside the workstation (from fig. 1, the system is divided into two workstations, company A and company B, each workstation is connected by Internet 22, Host computer and server running operating system from A can access any printing devices/peripherals located in B and vice versa, column 2, lines 8-15, column 4, lines 10-20) and includes at least the second computer, wherein the diagnostic center is configured to communicate (column 4, line 10-15, host computer is operating with an operating system to communicate with the printing devices/peripherals connected anywhere in the network show in fig. 1, column 4, lines 20-26) with the one or more printing devices and execute a printing device management application (the software that allows the system to display menus of fig. 3-8, to show

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diagnostic information such as printer maintenance menu of GUI object 52, column 7, lines 45-50, column 5, lines 12-14, fig. 8J; and to change printing device settings, column 6, lines 30-45, column 2, lines 50-65) to obtain diagnostic data from the one or more printing devices, wherein the diagnostic applications change printing device settings on the one or more printing devices; (e.g., install or delete fonts, column 6, lines 30-45, column 8, lines 16-17); and wherein a user interface (GUI, column 5, line 27) displays diagnostic information (column 7, lines 45-50) on the first computer regarding at least one printing device, and wherein the user interface includes a share mechanism (the mechanism that is used to expand printer access to a user; e.g., the user of computer 35, fig. 1) that, only when actuated at the first computer (for e.g., the administrator at PC 23, fig. 1, that is running printer access maintenance menu, column 6, lines 24-30, column 2, lines 52-57, column 4, lines 10-20, fig. 8C), allows the remote diagnostic center to display the user interface on the second computer, and wherein the printing device settings of the first computer can be changed by input to the user interface at the second computer that are applied to the first computer (the maintenance menu, column 5, line 25, that allows a person to view diagnostic information in real time and to change printer setting would be running in all devices in fig. 1, column 4, lines 10-15).

Regarding claim 2: Hanson teaches wherein at least one of the one or more printing devices (printer 27, fig. 1) is directly connected to the first computer (PC 23, fig. 1).

Regarding claim 3: Hanson teaches wherein at least one of the one or more printing devices (printer 29, fig. 1, column 4, line 19) is connected to the workstation through a local network. (Intranet, column 4, line 18)

Regarding claim 4. Hanson teaches wherein: the system comprises at least two printing devices; (e.g., printer 27 and printer 29, fig. 1) a first printing device (printer 27, fig. 1) is directly connected to the first computer (PC 23, fig. 1); and a second printing device (printer 29, fig. 1, column 4, line 19) is connected to the first computer through a local network. (Intranet, column 4, line 18)

Regarding claim 5: Hanson teaches wherein the remote diagnostic center communicates with the first computer (in order to communicate with a printer directly connected to a host X, other host must communicate with host X in order to get information from the printer; note: column 2, lines 15-20, 50-65, column 6, lines 25-30 teaches printers/peripheral device connected directly to a host computer can be access by users with different address/computer system) via the Internet (column 6, line 57, fig. 1).

Regarding claim 9: Hanson teaches a method, comprising: communication (e.g., communicating with a proxy server, column 6, lines 53-62 of a workstation) with a workstation (computer 25, 26, and 23, fig.1 of company A, form a workstation) having a first computer (e.g., 23, fig. 1) at a second computer (e.g., 35, fig. 1) over a network (Internet, fig. 1), wherein at least one printing device (e.g., 27, 29-31, fig. 1) is in communication with the first computer, and wherein the second computer is included in a remote diagnostics center; (the host computer system, column 4, lines 25-35);

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receiving authorization (column 6, lines 25-30) from the first computer (the maintenance menu, column 5, line 25, that allows a person to view diagnostic information in real time and to change printer setting would be running in all devices in fig. 1, column 4, lines 10-15) to view diagnostic data (column 7, lines 45-50, column 8, lines 45-55) that is related to the printing device (36, fig. 1) at the second computer (35, fig. 1), and transmit printing device commands (the information that cause the first computer to display the printer data, column 8, lines 45-55) related to the printing device (36, fig. 1) in response to the diagnostic data from the second computer to the first computer, said authorization resulting from a user interface at the first device computer (column 8, line 27); receiving and displaying the user interface that displays diagnostic data (column 7, lines 45-50) at the second computer from a printing device of the first computer (column 4, lines 10-15) only if the explicit authorization to access printing device diagnostic data has been received; column 6, lines 25-30); and simultaneously displaying (current, column 7, line 47, real time, column 8, line 52) the user interface that displays the diagnostic data at the first computer that has authorized access to the diagnostic data at the second computer.

Regarding claim 10: Hanson teaches wherein the first compute is connected to at least two printing devices, (e.g., 27, 31, fig. 1) and at least one printing device is connected to the first computer through a local network (local net, fig. 1).

Regarding claim 12: Hanson teaches wherein the communicating further comprises communicating with the first computer through the Internet (22, fig. 1).

Regarding claim 15: Hanson teaches wherein the printing devices further comprise printers (column 3, lines 20-25).

Regarding claim 16: Hanson teaches a method, comprising: initiating (execution, column 4, line 64, column 7, lines 25-30) a printer information management system (system of fig. 1, that is executing a dynamic device driver system, column 4, lines 10-15, column 4, lines 60-65, column 2, lines 8-9) between a workstation system (computer 25, 26, and 23, fig. 1 of company A, form a workstation) having a first computer (e.g., PC 23, fig. 1, column 4, lines 10-20) to a second computer (e.g. 35, fig. 1), wherein one or more printers (printer 27, 29-31, fig. 1) are connected (directly or by network, column 4, lines 15-20) to the first computer, (PC 23, fig. 1) the printer information management system executing at least one diagnostic program (modules of the dynamic device driver system, column 4, lines 10-15, column 4, lines 60-65, column 2, lines 8-9) to obtain diagnostic data (column 7, lines 41-50) from the one or more printers that is applied to the first computer; and granting explicit permission (the computer that is being used for system administrator, column 6, lines 15-30) to the second computer (the host, e.g., 35, fig. 1, that is remote from administrator, within the workstation containing part of the dynamic device driver, column 4, lines 39-45) from the first computer to view (column 8, lines 50-55) and control the printer information management system to execute (column 4, line 64) the diagnostic program to obtain the diagnostic data (dynamic device driver is used to access diagnostic data from the printers, column 4, lines 10-20, column 7, lines 40-50) from the one or more printers (e.g., printer 30, 31, fig. 1); and displaying a user interface (fig. 3-8) including the diagnostic data (column 7,

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lines 45-50) at the first computer (column 7, lines 45-50) at the same time (current, column 7, line 47, real-time, column 8, line 52) that the user interface including the diagnostics data is being displayed at the second computer, wherein commands (the information that cause the first computer to display the printer data, column 8, lines 45-55) can be applied over the user interface from the second computer that are directed at the first computer (all the computers can execute the printer drive module of the printer and obtaining the printer status/diagnostic information, column 4, lines 10-25, column 4, lines 58-67, in real time, column 8, lines 50-55).

Regarding claim 17: Hanson teaches wherein maintaining simultaneous control further comprises displaying user interface at the first computer while commands are entered via the user interface at the second computer (all the computers can execute the printer drive module of the printer and obtaining the printer status/diagnostic information or controlling the printer, column 4, lines 10-25, column 4, lines 58-67, in real time, column 8, lines 50-55).

Regarding claim 18: Hanson teaches wherein at least a portion of the printer information management system exists at both the first computer and the second computer (the system computer comprises both computers 23 and 35, fig. 1)

Regarding claim 20: Hanson teaches wherein maintaining simultaneous control further comprises the capability to enter commands at both the first computer and at the second computer (column 4, lines 10-20, column 4, lines 58-67, column 8, lines 15-20, teaches command such as change printer settings can be entered at all computers).

Claim Rejections - 35 USC § 103

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson as applied to claims 1, 5 above, and further in view of Wood et al. (US 6,453,127).

Regarding claim 6: Hanson teaches wherein the printer information management application is stored on a server (the driver portion 34 belongs to the printer information management system and is stored in a server, column 4, lines 36-42).

Hanson does not teach wherein the printer information management system is stored on an Internet website.

Wood, in the same area of transmitting Java applet (see column 5, lines 5-15, Wood et al and column 4, lines 60-65, Hanson) to be executed by a user's computer (computer 30, fig. 1) of displaying status/diagnostic data in the user's computer (column 5, lines 25-35), teaches to store the Java applet on an Internet (column 2, line 67) website located in a server. (The series of files that include user interface display screen pages in applets, located in a web server, is a website, for establishing a program in the user's computer, column 5, lines 5-15)

Since the printer information management system (driver portion 34 is part of the dynamic device driver system/printer information management system) of Hanson, is stored in a server within the Internet, (column 4, lines 39-42), contains Java applet programs (column 4, lines 57-67, column 5, lines 12-23) to be executed by the host computer to display printer diagnostic data (column 7, lines 42-50), it would have been obvious to a person with ordinary skill in the art at the time the invention was made to

have modified Hanson's system to include: wherein the printer information management application/driver portion 34 is stored on an Internet website.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Hanson's system by the teaching of Wood et al. because of the following reasons: (a) most computers connected on Internet communicate with, and access data from websites located in server computer(s); storing the dynamic device driver system in a website would allow the dynamic device driver system of Hanson to be widely used in the Internet system by all users; and (b) it would have allowed a service person to gain access of the diagnostic data of a printer of Hanson from anywhere in the world as long as he has a computer connected to Internet.

Response to Arguments

9. Applicant's arguments filed on 9/30/2003 have been fully considered but they are not persuasive.

With respect to applicant's argument that Hanson does not teach a share mechanism that is actuated at the first computer that has the effect of displaying the user interface on the second computer, has been considered.

In reply: Hanson, column 6, lines 25-30, teaches a share mechanism (e.g., fig. 8c) that is actuated at the first computer that has the effect (allowing other user computer to access the printer; note accessing the printer diagnostic data of column 7, lines 45-50, column 8, lines 50-55 is accessing the printer because printer diagnostic

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data is obtained from the printer) of displaying the user interface on the second computer.

With respect to applicant's argument that Hanson does not teach user interface displaying diagnostic data at the first computer and the second computer simultaneously, has been considered.

In reply: Hanson, column 4, lines 10-15, column 4, lines 57-68, column 8, lines 50-55, teaches any computer on the network can execute printer driver modules to display an user interface as show in fig. 3-8, that shows the operating status of the printer in real time. In order for the computers displaying the operating status of the printer in real time, the computers must displays the operating status of the printer simultaneously.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892

June 15, 2004

A handwritten signature in black ink that reads "King Y. Poon". The signature is written in a cursive, flowing style with a large initial 'K' and a distinct 'P'.